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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/630,289

07/30/2003

Gordon Wesley Braudaway

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76073

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EXAMINER

MCLEAN, NEIL R

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

01/30/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 10/630,289</p>	<p>Applicant(s) BRAUDAWAY, GORDON WESLEY</p>	
	<p>Examiner Neil R. McLean</p>	<p>Art Unit 2625</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 December 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: _____.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625

/Neil R. McLean/
Examiner, Art Unit 2625

Continuation of 11. does NOT place the application in condition for allowance because: Regarding Applicant's Argument:

"Applicant submits that neither Horiguchi nor Szeliski disclose or suggest creating an initial replacement image from a scanned image by performing an interpolation to generate additional lines in the scanned images to correspond to the digitized source images."

Examiner's Response:

Horiguchi and Szeliski do not disclose expressly creating an initial replacement image from a scanned image by performing an interpolation to generate additional lines in the scanned images to correspond to the digitized source images.

Davidson discloses creating an initial replacement image from a scanned image by performing an interpolation to generate additional lines in the scanned images to correspond to the digitized source images (FIG. 3 is a diagram of a streaming mode encoder. The streaming mode encoder receives incoming, sequential bands 300 of an image. It buffers these bands in a band FIFO 302 that is at least one block in height. A block in the context of image watermark encoding refers to the size of image data into which a watermark encoder module embeds an entire watermark signal instance. The FIFO includes two separate buffers, enabling the embedder to load one with incoming data while performing embedding operations on image blocks in the other one; Column 5, lines 42-51).

Horiguchi, Szeliski & Davidson are combinable because they are from the same field of endeavor of image processing; e.g., all references disclose methods of comparing embedded image patterns. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate a watermark on portions of an image as it is being scanned or printed.

The suggestion/motivation for doing so would be to encode user information as a document is being printed. This user information may be used for counterfeit deterrence by embedding tracer information in the document that will help identify the maker of the counterfeit document. Another application is to associate other forms of metadata about the document as it is being printed by embedding the metadata or a reference to the metadata in a watermark as disclosed by Davidson in the summary of invention.

Therefore, it would have been obvious to combine Horiguchi and Szeliski's methods of comparing before and after versions of picture elements and ascertaining the differences with Davidson's method for watermarking encoding and decoding to obtain the invention as specified to discontinue the unauthorized image scan of a high value document, such as a bank note, identify document, ticket, check, etc.

3. Regarding Applicant's Argument:

"Applicant submits that nowhere in Hansen is there disclosed a process of embedding synchronization-strips that have a counter pattern at defined intervals' to provide a unique page count."

Examiner's Response:

Hansen does not disclose expressly a process of embedding synchronization-strips that have a counter pattern at defined intervals' to provide a unique page count.

Davidson discloses a process of embedding synchronization-strips that have a counter pattern at defined intervals' to provide a unique page count (The watermark encoder can be used to embed tracer data in an image as it is being printed or transferred. The forensic tracer data may include: data identifying the date of an activity from a clock in the imaging device or host computer of the driver, data identifying the serial number of a computer system, data identifying a serial number of a system component, data identifying a user of the computer system, data identifying a file, data indicating the nature of a detected event, data indicating the status of the computer system, data from a registry database, data relating to an external network connection, and data derived from a digital watermark payload; Column 9, lines 45-56). Note: The Examiner perceives that descriptive information about the attributes or elements of the data could include a page number and that Davidson's above list is not inclusive.

Hansen & Davidson are combinable because they are from the same field of endeavor of image processing; e.g., both references disclose methods of comparing embedded image patterns. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to embed an image pattern on each page to identify every page such. The suggestion/motivation for doing so would be to encode user information as a document is being printed. This user information may be used for counterfeit deterrence by embedding tracer information such as a page number in the document that will help identify the maker of the counterfeit document. Another application is to associate other forms of metadata about the document as it is being printed such as page or document number by embedding the metadata or a reference to the metadata in a watermark as disclosed by Davidson in the summary of invention.

Therefore, it would have been obvious to combine Hansen's methods of comparing before and after versions of picture elements and ascertaining the differences with Davidson's method for encoding the page number and decoding to obtain the invention as specified to discontinue the unauthorized image scan of a high value document, such as a bank note, identify document, ticket, check, etc..